

United States District Court  
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

Case Number:

V.

ANTONIUS BRETT EL-X

MS-11-83 AB

I, John R. Murnan II, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 29, 2011, in Hennepin County, in the State and District of Minnesota, defendant took and obtained personal property, specifically, a taxi from the person of K.A., against K.A.'s will, by means of actual and threatened force, and by means of violence and fear of immediate injury to K.A.'s person,

in violation of Title 18, United States Code, Section 1951(a).

I further state that I am a Special Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

Date

The Honorable Arthur J. Boylan  
UNITED STATES MAGISTRATE JUDGE

Name &amp; Title of Judicial Officer

Signature of Complainant

John R. Murnan II

ATF

Minneapolis, MN

City and State

Signature of Judicial Officer

SCANNED

MAR - 2 2011

U.S. DISTRICT COURT MPLS

STATE OF MINNESOTA     )  
                                      ) ss.     **AFFIDAVIT OF JOHN R. MURNAN II**  
COUNTY OF HENNEPIN     )

I, John R. Murnan II, being duly sworn, depose and state as follows:

1. I am a Senior Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and I have been so employed since October 1987. I am currently assigned to the ATF Saint Paul Field Division, Saint Paul III Field Office. My duties and responsibilities include conducting criminal investigations of individuals and organizations who may have committed violations of the Federal alcohol, tobacco, arson, explosives, or firearms laws.

2. This Affidavit is submitted in support of a Complaint establishing probable cause to believe that on January 29, 2011, ANTONIUS BRETT EL-X (a/k/a BRETT ANTHONY ANDERSON) (hereinafter "El-X") committed the following federal violation:

unlawfully took a taxi operated by an employee of Airport Taxi, in violation of Title 18, United States Code, Section 1951(a);

The facts set forth in this Affidavit are based on my review of reports and surveillance video, my personal investigation, and discussions I have had with other law enforcement personnel. The facts set forth herein contain information sufficient to support probable cause. This Affidavit is not intended to convey all of the facts learned during the course of this investigation.

3. On January 29, 2011, police officers from the Crystal Police Department responded to a report of a carjacking of a taxicab. At the scene, taxicab driver K.A. explained to police officers that he works for "Airport Taxi" and drives taxi minivan #604. At approximately 11:00 p.m. that night, K.A. was dispatched to pick up a fare at a hotel in Crystal Minnesota. When K.A. arrived at the hotel, a man, later identified as El-X, introduced himself to K.A. as "Anthony" and requested to sit in the front seat of the taxi. El-X also requested to use K.A.'s cell phone. K.A. allowed El-X to sit in the front seat and to use his cell phone.

4. While K.A. was driving away from the Hotel, El-X reached his left leg over the center console of the taxi, into the driver's side area, and slammed on the brakes of the taxi. El-X then tried

pushing K.A. out of the driver's side door of the taxi. While El-X pushed K.A., El-X reached his hand to his right hip in a manner so that K.A. believed El-X was reaching for a gun.

5. El-X told K.A. that he did not want to kill him and as such K.A. should get out of the car. When K.A. hesitated exiting the taxi because he had on his seatbelt, El-X told K.A. that if he stayed in the vehicle, El-X would "kill him" and El-X further made motions as if grabbing for a gun on his right hip.

6. K.A. assured El-X he would exit the taxi, but K.A. first asked El-X to return his cell phone. El-X refused. K.A. then escaped from the taxi and observed El-X drive away. K.A. ultimately fled to a nearby business and called police.

7. K.A. informed police officers that his taxi was equipped with GPS. Police officers began tracking the moving stolen taxi via the GPS tracking and informed local police officers of the taxi's location. When police squad cars began following the stolen taxi, the taxi crashed. Police officers found El-X inside the vehicle, injured and unconscious. The taxi minivan was wrecked and inoperable.


8. Police officers contacted employees at the hotel and learned that employees had called for the Airport Taxi at the request of a guest staying in Room 209. Police officers spoke to another resident of Room 209, R.B. R.B. informed police officer's that she is El-X's girlfriend; R.B. identified El-X from a Department of Vehicle Services photograph as the man with whom she was staying with in Room 209.

9. Police officers obtained surveillance video from the hotel. On the surveillance video, police officers observed a man who appeared to match El-X's clothing and physical description leave the Inn and enter K.A.'s taxi van.

10. Upon learning El-X's identity, police officers showed K.A. a photographic line-up. K.A. selected El-X's photograph from the photographic line-up as the person who robbed him of his taxi and cell phone.

11. I interviewed the Operations Manager of Airport Taxi, Inc., which encompasses Airport Taxi, Yellow Cab and Town Taxi, cab companies. I learned that this taxi company operates both within and outside of the State of Minnesota and as such routinely drives

passengers across state lines, in addition to driving numerous people to the airport every day. Furthermore, the taxi minivan stolen by El-X was manufactured in Canada; the computer equipment in the taxis is manufactured and repaired in Australia; the radio equipment is from Glasgow, Scotland; the meters are from Vermont; and the top "taxi" lights are from New York. Consequently, I believe that the unlawful taking of the Airport Taxi cab involved an attempted obstruction or delay of commerce, and an attempted obstruction or delay of the movement of any article or commodity in commerce.

  
JOHN R. MURNAN II  
SENIOR SPECIAL AGENT, ATF

Sworn to and subscribed  
before me this 2<sup>nd</sup> day  
of March, 2011

  
ARTHUR J. BOYLAN  
UNITED STATES CHIEF MAGISTRATE JUDGE